



## Service of Process Transmittal

10/08/2019

CT Log Number 536399288

**TO:** Stephanie Mitchell  
Siemens Energy & Automation, Inc.  
800 North Point Parkway, Suite 450  
Alpharetta, GA 30005-4499

**RE: Process Served in Oregon**

**FOR:** Siemens Corporation (Domestic State: DE)

### ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

**TITLE OF ACTION:** KYLE NOLL, PLTF. vs. SIEMENS CORPORATION, DFT.

**DOCUMENT(S) SERVED:** NOTICE, COMPLAINT, REQUEST

**COURT/AGENCY:** Multnomah County Circuit Court, OR  
Case # 19CV43267

**NATURE OF ACTION:** Personal Injury - Vehicle Collision - 12/08/2017

**ON WHOM PROCESS WAS SERVED:** C T Corporation System, Salem, OR

**DATE AND HOUR OF SERVICE:** By Process Server on 10/08/2019 at 14:17

**JURISDICTION SERVED :** Oregon

**APPEARANCE OR ANSWER DUE:** WITHIN 30 DAYS

**ATTORNEY(S) / SENDER(S):** Donald Dartt  
521 SW Clay Street  
Portland, OR 97201  
(503)221-1907

**ACTION ITEMS:** CT has retained the current log, Retain Date: 10/09/2019, Expected Purge Date: 10/14/2019

Image SOP

Email Notification, Stephanie Mitchell stephanie.mitchell@siemens.com

Email Notification, Doreen Poole doreen.poole@siemens.com

Email Notification, Nicholas Bruno nicholas.bruno@siemens.com

Email Notification, Richard O'Connor richard.oconnor@siemens.com

Email Notification, Barbara Kotick barbara.kotick@siemens.com

Email Notification, Jennifer Kibler jennifer.kibler@siemens.com

Email Notification, Nancy Orgaz nancy.orgaz@siemens.com

Email Notification, Skip Lockard skip.lockard@siemens.com

Page 1 of 2 / RK

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**EXHIBIT 1**  
**Page 1 of 9**



**Service of Process  
Transmittal**

10/08/2019

CT Log Number 536399288

**TO:** Stephanie Mitchell  
Siemens Energy & Automation, Inc.  
800 North Point Parkway, Suite 450  
Alpharetta, GA 30005-4499

**RE: Process Served in Oregon**

**FOR:** Siemens Corporation (Domestic State: DE)

**SIGNED:** C T Corporation System  
**ADDRESS:** 155 Federal St Ste 700  
Boston, MA 02110-1727

**For Questions:** 800-448-5350  
MajorAccountTeam1@wolterskluwer.com

Page 2 of 2 / RK

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**EXHIBIT 1**

**Page 2 of 9**

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MULTNOMAH

KYLE NOLL,

Plaintiff

vs.

SIEMENS CORPORATION,

Defendant.

SUMMONS

Case No.: 19CV43267

TO: Siemens Corporation  
c/o CT Corporation  
780 Commercial St SE #100  
Salem, OR 97301

**NOTICE TO THE DEFENDANT: READ THESE PAPERS CAREFULLY!**

You must "appear" in this case or the other side will win automatically. To "appear" you must file with the court a legal paper called a "motion" or "answer". The "motion" or "answer" must be given to the court clerk or administrator within 30 days along with the required filing fee. It must be in proper form and have proof of service on the Plaintiff. If you have any questions, you should see an attorney immediately. *If you need help in finding an attorney, you may call the Oregon state Bar Lawyer Referral Service online at [www.oregonstatebar.org](http://www.oregonstatebar.org) or by calling (503) 452-7636.*



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Donald Dartt, OSB No. 890392  
521 SW Clay Street  
Portland, OR 97201  
Tel: (503) 221-1907

I, the undersigned attorney of record for the Plaintiff, certify that the foregoing is an exact and complete copy of the original summons in the above entitled action.

---

Donald Dartt, OSB No. 890392

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MULTNOMAH

4	KYLE NOLL,	)	Case No.: 19CV43267
5	Plaintiff,	)	
6	vs.	)	COMPLAINT: Personal Injury Based on
7	SIEMENS CORPORATION,	)	Negligence
8	Defendant.	)	
9		)	Amount in Controversy: More than \$50,000 and
10		)	less than \$1,000,000
		)	Fee Authority: ORS 21.160(1)(c)
		)	CLAIM NOT SUBJECT TO MANDATORY
		)	ARBITRATION

Plaintiff alleges that at all material times:

1.

Defendant is a foreign corporation licensed to do business in the State of Oregon.

2.

The driver of defendant's vehicle was an employee or agent of defendant and was acting within the course and scope of his employment or agency with defendant.

3.

On or about December 8, 2017, plaintiff was driving his vehicle east on the Ross Island Bridge, in Portland, Multnomah County, Oregon.

4.

At the same time and place, the driver of defendant's vehicle was traveling immediately behind plaintiff's vehicle.

//

Page 1 – COMPLAINT

Donald Dartt  
521 S.W. Clay Street  
Portland, OR 97201  
Telephone (503) 221-1907 Fax (503) 226-1321

1 5.

2 While plaintiff was stopped in a line of traffic, the driver of defendant's vehicle collided with the  
3 rear of plaintiff's vehicle, causing the injuries and damages described below.

4 6.

5 Driver of defendant's vehicle was negligent in causing the collision with plaintiff in one or more  
6 of the following ways:

7 A. In failing to maintain proper control of the vehicle he was driving;

8 B. In traveling at a speed that was unreasonable under the existing circumstances;

9 C. In failing to keep a proper look-out; and

10 D. In failing to properly brake in order to avoid the collision with plaintiff

11 7.

12 As a result of defendant's negligence, plaintiff suffered cervical strain, shoulder strain, dizziness,  
13 headache, nausea, bilateral disorder of the eustachian tubes, bilateral hearing loss, bilateral tinnitus, bilateral  
14 temporomandibular joint disorder, some or all of which are permanent in nature, and which have caused  
15 physical and mental pain and suffering, emotional distress, and have impaired plaintiff's enjoyment of life,  
16 all to his noneconomic damage in an amount to be determined at trial.

17 8.

18 As a further result of defendant's negligence, plaintiff has incurred approximately \$24,000 in  
19 reasonable and necessary medical treatment costs, and will incur approximately \$40,000 during his lifetime  
20 in the purchase of hearing aids to mitigate the effect of his permanent tinnitus.

21 //

22 //

23 //

24 //

25 Page 2 – COMPLAINT

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9.

As a further result of defendant's negligence, plaintiff has suffered an impairment of his earning capacity since the time of the accident in the approximate amount of \$200,000.

WHEREFORE, plaintiff prays for judgment against defendant for his noneconomic damages in an amount to be determined at the time of trial; economic damages in the approximate amount of \$264,000, and his costs and disbursements incurred herein.

Plaintiff demands a jury trial.

Dated this 2<sup>nd</sup> day of October, 2019



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Donald Dartt  
OSB #890392  
Attorney for Plaintiff

Page 3 – COMPLAINT

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521 S.W. Clay Street  
Portland, OR 97201  
Telephone (503) 221-1907 Fax (503) 226-1321

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MULTNOMAH

1		)	Case No.: 19CV43267
2		)	
3		)	
4	KYLE NOLL,	)	
5	Plaintiff,	)	PLAINTIFF'S FIRST REQUEST FOR
6	vs.	)	PRODUCTION OF DOCUMENTS
7	SIEMENS CORPORATION,	)	
8	Defendant.	)	
9		)	
10		)	

Pursuant to ORCP 36 and 43, plaintiff requests that defendant provide to plaintiff's attorney, at his place of business, copies of the following documents within 45 days of the date of service of summons and complaint in this action.

**DEFINITIONS**

1. As used herein, the word "accident" refers to the accident that is the subject of this lawsuit.
2. In addition to its plain meaning, the word "document," as used herein, also includes electronically stored information, writings, drawings, graphs, charts, photographs, sound recordings, images, and other data or data compilations from which information can be obtained and translated, if necessary, by the defendant through detection devices or software into reasonably usable form. The word "document" specifically includes electronic mail and phone texts.

**REQUESTS**

**REQUEST NO. 1:** All statements of plaintiff taken at any time by defendant or its insurers, employees or agents, recorded in any manner or transcribed, relating in any way to the accident.

Page 1 – PLAINTIFF'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS

Donald Dartt  
521 S.W. Clay Street  
Portland, OR 97201  
Telephone (503) 221-1907 Fax (503) 226-1321

1 **RESPONSE:**

2  
3 **REQUEST NO. 2:** All photos of plaintiff, any vehicle involved in the accident or the accident scene.

4 **RESPONSE:**

5  
6 **REQUEST NO. 3:** All recordings of any kind depicting plaintiff, any vehicle involved in the accident or  
7 the accident scene.

8 **RESPONSE:**

9  
10 **REQUEST NO. 4:** All non-privileged reports, statements, notations or any other documents of any kind  
11 relating to plaintiff or the accident.

12 **RESPONSE:**

13  
14 **REQUEST NO. 5:** Any document containing the last known full name, address and phone number of  
15 the person driving defendant's vehicle that collided with plaintiff at the time of the accident.

16 **RESPONSE:**

17  
18  
19 Dated this 7<sup>th</sup> day of October, 2019

20  
21  
22 

23 \_\_\_\_\_  
24 Donald Dartt  
OSB #890392  
Attorney for Plaintiff

25 **Page 2 – PLAINTIFF'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS**

Donald Dartt  
521 S.W. Clay Street  
Portland, OR 97201  
Telephone (503) 221-1907 Fax (503) 226-1321



**AFFIDAVIT OF SERVICE**

**State of Oregon**

**County of Multnomah**

**Circuit Court**

Case Number: 19CV43267

Plaintiff(s):  
**KYLE NOLL**

vs.

Defendant(s):  
**SIEMENS CORPORATION**

Received by Sound PS/Portland PS on the 8th day of October, 2019 at 10:18 am to be served on **SIEMENS CORPORATION C/O CT CORPORATION, 780 COMMERCIAL STREET SE, SUITE 100, SALEM, Marion County, OR 97301.**

I, Karlene Gander, being duly sworn, depose and say that on the **8th day of October, 2019 at 1:50 pm, I:**

Served **SIEMENS CORPORATION C/O CT CORPORATION** pursuant to ORCP 7D(3)(B) by delivering a true copy of the **SUMMONS AND COMPLAINT (PERSONAL INJURY BASED ON NEGLIGENCE); PLAINTIFF'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS to MR. RYLYNN POOLE, SERVICE OF PROCESS TECHNICIAN,** person in charge of the office who is authorized to accept service at **780 COMMERCIAL STREET SE, SUITE 100, SALEM, Marion County, OR 97301.**

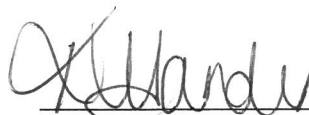
**Description** of Person Served: Age: 40, Sex: M, Race/Skin Color: Caucasian, Height: 6'2", Weight: 170, Hair: Blonde, Glasses: Y

I certify that I was and now am a competent person, over the age of 18 years, and a resident of the State of Oregon or the state of service. I am not a party to nor an officer, director or employee of, nor attorney for any party, corporate or otherwise and I know that the person, firm or corporation served is the identical one named in the action.

I also certify that the above statement is true to the best of my knowledge and belief, and that I understand it is made for use as evidence in court and is subject to penalty for perjury.

Subscribed and Sworn to before me on the 9th day of October, 2019 by the affiant who is personally known to me.

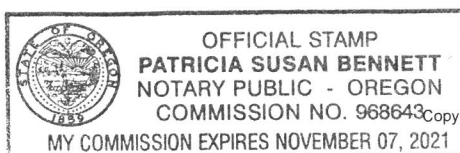
*Patricia S. Bennett*  
NOTARY PUBLIC



**Karlene Gander**  
Process Server

**Sound PS/Portland PS**  
**5319 SW WESTGATE DR, SUITE 34**  
**PORTLAND, OR 97221**  
**(503) 296-4889**

Our Job Serial Number: JDJ-2019000901  
Ref: 901



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**EXHIBIT 1**

**Page 9 of 9**